

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE**

SAMANTHA PETTINGILL, JULIE  
PETTINGILL, GENE PETTINGILL, JULIE  
PETTINGILL, as guardian *ad litem* for C. P.  
and T. P., minors, and SOCIETY FOR PET  
ADOPTION, RESCUE, AND EDUCATION,  
INC., a Delaware nonprofit corporation,

Plaintiffs,

v.

JOHN CALDWELL, in his official and  
individual capacities, JOHN SAVILLE, in his  
official and individual capacities,  
DELAWARE SOCIETY FOR THE  
PREVENTION OF CRUELTY TO  
ANIMALS, a Delaware corporation

Defendants.

C.A. No. 05-224

JURY TRIAL DEMANDED

**ALIAS SUMMONS**

TO: John Caldwell  
c/o Delaware Society for the Prevention  
of Cruelty to Animals  
Route 7, Stanton-Christiana Road  
Stanton, Delaware

John Saville  
c/o Delaware Society for the Prevention  
of Cruelty to Animals  
Route 7, Stanton-Christiana Road  
Stanton, Delaware

Delaware Society for the Prevention  
of Cruelty to Animals  
Route 7, Stanton-Christiana Road  
Stanton, Delaware

**YOU ARE HEREBY SUMMONED** and required to serve on PLAINTIFF'S ATTORNEY:

Charles M. Oberly, III  
Karen V. Sullivan  
Oberly, Jennings & Rhodunda, P.A.  
800 Delaware Avenue, Suite 901  
P.O. Box 2054  
Wilmington, DE 19899


an answer to the complaint which is served on you with this summons, within 20 days after service of this summons on you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. Any answer that you

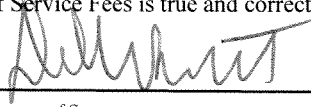
serve on the parties to this action must be filed with the Clerk of this Court within a reasonable period of time after service.

PETER T. DALLEO

CLERK

4-25-05  
DATE

  
(By) DEPUTY CLERK

RETURN OF SERVICE		
Service of the Summons and complaint was made by me(1)	DATE	4/26/05
NAME OF SERVER (PRINT) DENORRIS BRITT	TITLE SPECIAL PROCESS SERVER	
<i>Check one box below to indicate appropriate method of service</i>		
<input type="checkbox"/> Served personally upon the defendant. Place where served: _____  Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein. <input type="checkbox"/> Name of person with whom the summons and complaint were left: _____ <input type="checkbox"/> Returned unexecuted: _____  <input checked="" type="checkbox"/> Other (specify): <u>SERVED; DELAWARE SOCIETY FOR THE PREVENTION OF CRUELTY TO ANIMALS AT DELAWARE SPCA RT. 7 STANTON-CHRISTIANA RD. NEWARK, DE COPIES THEREOF WERE ACCEPTED BY JOHN SAVILLE</u>		
STATEMENT OF SERVICE FEES		
TRAVEL	SERVICES	TOTAL
<b>DECLARATION OF SERVER</b>		
<p>I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.</p> <p>Executed on <u>4/26/05</u> _____  Date</p> <div style="text-align: center; margin-top: 20px;">   _____  Signature of Server  BRANDYWINE PROCESS SERVERS, LTD.  P.O. BOX 1360  WILMINGTON, DE 19899-1360  302- 475-2600 </div> <p style="margin-top: 40px;">SERVED: SUMMONS &amp; FIRST AMENDED COMPLAINT</p>		

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.